

FISCAL NOTE

SB 1708 - HB 2155

April 3, 2007

SUMMARY OF BILL: Creates a new Class C felony of involuntary servitude for knowingly subjecting, or attempting to subject, another person to forced labor or services. If the violation results in serious bodily injury, death, exceeds one year or the defendant held ten or more victims in servitude at any time during the course of the defendant's criminal episode, it becomes a Class B felony. Creates a new Class D felony of knowingly trafficking persons for forced labor or services. Creates a new Class D felony offense of "sexual servitude of a minor" if the victim is at least thirteen but less than eighteen years old. Creates a new Class C felony offense of "sexual servitude of a minor" if the victim is less than thirteen years old. Creates a new Class B felony offense of "sexual servitude of a minor" if the victim is a minor and the defendant uses force.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$118,700 / Incarceration*

Assumptions:

- One additional Class B felony conviction for involuntary servitude and one additional Class B felony conviction for sexual servitude of a minor involving force every other year with 2.4 years time served (876.60 days). The annualized time served per conviction is 438.3 days (0.50 annual number of convictions x 876.60 days served). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The annualized cost per conviction is \$26,368.13 (0.50 x 876.60 x \$60.16). The total additional operating cost for two offenders is \$52,736.26 (\$26,368.13 x 2).
- One offender per year will serve 0.9 years (328.73 days) for an additional Class C felony conviction for involuntary servitude and one additional Class C felony conviction for sexual servitude of a minor less than 13 years of age. The cost per inmate at 0.9 years is \$19,776.40 (\$60.16 x 328.73 days). The total additional operating cost for two offenders is \$39,552.80 (\$19,776.40 x 2).
- One offender per year will serve 0.6 years (219.15 days) for an additional Class D felony conviction for trafficking persons for forced labor or services and one additional Class D felony conviction for sexual

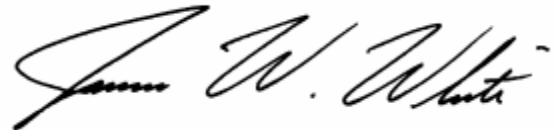
servitude of a minor victim who is at least 13 but less than 18 years of age. The cost per inmate for 0.6 years is \$13,184.06 (\$60.16 x 219.15 days). The total additional operating cost for two offenders is \$26,368.12 (\$13,184.06 x 2).

- One additional Class D felony conviction for sexual servitude of a minor
- No significant incarceration cost increase will occur due to population growth in this period.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with a large initial "J" and a distinct "W".

James W. White, Executive Director